## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

OCT 2 5 2005

JOHN F. CORCOBAN OLERK BY: DEPUTY CLERK

RANDAL E. FARIS, Petitioner,	) Civil Action No. 7:05-cv-00563
V.	) <u>FINAL ORDER</u>
GENE M. JOHNSON, DIRECTOR, Respondent.	) )

In accordance with the written memorandum opinion entered this day, it is hereby

## ADJUDGED AND ORDERED

that this petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, shall be and hereby is **DISMISSED** as untimely, pursuant to 28 U.S.C. § 2244(d); and that this action is stricken from the active docket of this court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and to counsel of record for the respondent.

ENTER: This 25 th day of October, 2005.

Senior United States District Judge